

REMARKS

Claims 1, 4-7, 9-17, 19, 21, 23, 25-36, 40, 41, 44-50, and 52-67 were previously pending in the application. Claims 1, 31, 52, and 66 have been amended. New claim 68 has been added. Claims 1, 4-7, 9-17, 19, 21, 23, 25-36, 40, 41, 44-50, and 52-68 are now pending in the application. Favorable reconsideration and allowance of the application are respectfully requested.

I. Claim Rejections Under 35 U.S.C. §112

Claims 52-59 are rejected under 35 U.S.C. §112 because the claim limitation “the hole” in claim 52 is said to lack antecedent basis. The limitation “the hole” was amended to recite “the through-hole.” Withdrawal of the rejection of claims 52-59 under 35 U.S.C. §112 is respectfully requested.

II.. Claim Rejections Under 35 U.S.C. §102

A. Claims 1, 4-7, 9-17, 19, 21, 23, 25-30, 60-63, and 66-67 are rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 5,938,592 (Koteles).

Independent claim 1 has been amended to recite that the handle defines an enclosed perimeter of an opening, and the knob is disposed within the opening. The Office cites Koteles as disclosing a handle 22/34. While reference 34 is in fact a pivot clamp (see that joins the rake 24 to the rake plate (see Col. 3, lines 1-2), Applicant notes that the pivot clamp does not define an enclosed perimeter of an opening, wherein the nut 42 is disposed in the opening. Rather, the pivot clamp defines only a partial perimeter of the opening that receives the nut 42 is open at one end (the left side of the opening is open in Fig. 2). Accordingly, Koteles fails to teach or suggest each limitation recited in independent claim 1.

Independent claim 66 has been amended to recite a coupling element extending from the proximal end (of the blade member) in a direction substantially perpendicular to the blade member, wherein the coupling element is configured and dimensioned to be received in the bore of the knob such that the blade member extends in a direction that is angularly offset with respect to the longitudinal axis of the handle.

New dependent claim 68 recites that the coupling element extends substantially perpendicular with respect to the blade member, and the blade member extends substantially perpendicular with respect to the longitudinal axis of the handle when the coupling element is received in the bore of the knob.

Koteles does not teach or suggest a coupling member extending from the rake 24 in a direction angularly offset with respect to the rake, such that the rake extends in a direction that is angularly offset with respect to the longitudinal axis of the handle. As noted in the Office Action, the handle of Koteles is interpreted as including the pivot clamp 34. Otherwise, the nut 42 would not be rotatable about the longitudinal axis of the handle (claim 66 recites that the handle is elongate along the longitudinal axis). The longitudinal axis having been established with reference to the clamp 34, the rake 24 extends parallel to the longitudinal axis, and not angularly offset with respect to the longitudinal axis as recited in claim 66 (or substantially perpendicular as recited in dependent claim 68). Accordingly, Koteles fails to teach or suggest each element of claim 66.

Because Koteles fails to teach or suggest each limitation of independent claims 1 and 66, withdrawal of the rejection of claims 1, 4-7, 9-17, 19, 21, 23, 25-30, 60-63, and 66-67 under 35 U.S.C. §102 is respectfully requested.

B. Claims 52-59 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,254,535 (Furnish).

Independent claim 52 has been amended to recite that the first coupling mechanism comprises a knob having a bore, wherein the knob is rotatable about the longitudinal axis. Claim 52 further recites a blade member having a proximal end, a distal end, and a coupling element disposed proximate the proximal end of the blade member. The coupling element is configured and dimensioned to be received in the bore of the knob, such that the rotation of the knob in a first direction causes the coupling element to advance into the bore of the knob.

The Office Action cites Furnish as disclosing a first coupling mechanism 74 coupled to the proximal end of the handle (identified in the Office Action by the combination of components 76/78./72). Claim 52 recites a knob having a bore that receives a coupling element that is disposed proximate the proximal end of the blade member. Furnish discloses

a knob 76, however the Office Action interprets the knob 76 as forming part of the handle. Regardless, the knob 76 does not include a bore that receives a coupling element that is disposed proximate the proximal end of a blade member, such that rotation of the knob in a first direction causes the coupling element to advance into the bore of the knob. Rather, the knob 76 is tightened to secure the handle segment 50 at a desired position (see Col. 9, lines 54-56).

Because Furnish fails to teach or suggest each element of independent claim 52, withdrawal of the rejection of claims 52-59 under 35 U.S.C. §102 is respectfully requested.

III.. Claim Rejections Under 35 U.S.C. §103

A. Claims 31-36, 40-41, and 44-47 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,558,622 (Greenberg) in view of Koteles.

Independent claim 31 has been amended to recite that the handle defines an enclosed perimeter of an opening, and the knob is disposed within the opening and is rotatable in the opening. As discussed above with respect to independent claim 1, Koteles fails to teach or suggest these claim limitations. Likewise, as acknowledged in the Office Action, Greenberg fails to disclose a retractor as claimed.

Because the cited prior art fails to teach or suggest each limitation of independent claim 31, even when combined in the manner suggested in the Office Action, withdrawal of the rejection of claims 31-36, 40-41, and 44-47 under 35 U.S.C. §103 is respectfully requested.

B. Claims 48-50 are rejected under 35 U.S.C. §103(a) as being unpatentable over Greenberg in view of Koteles, and further in view of U.S. Patent No. 4,769,011 (Swaniger).

Applicant notes that claims 48-50 ultimately depend from claim 31, which is allowable over the cited prior art. Applicant therefore cites the patentability of independent claim 31 as providing sufficient basis for the allowance of dependent claims 48-50. Withdrawal of the rejection of claims 48-50 under 35 U.S.C. §103 is respectfully requested.

IV. New Claim

As noted above, new claim 68 has been added. Claim 68 recites that the coupling element extends substantially perpendicular with respect to the blade member, and the blade member extends substantially perpendicular with respect to the longitudinal axis of the handle when the coupling element is received in the bore of the knob. As discussed above, Koteles fails to teach or suggest this claim limitation. Formal allowance of claim 68 is respectfully requested.

V. Conclusion

Applicant therefore asserts that each objection and rejection to the claims has been overcome, and a notice of allowance is earnestly solicited. The Examiner is hereby authorized to contact the undersigned at the telephone number appearing below if such would advance the prosecution of this application.

The Commissioner is hereby authorized to withdraw the \$52 fee for the addition of one claim greater than twenty, along with any additional fees deemed due for this or any other communication, from Deposit Account No. 23-3050.

Respectfully submitted,

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